



United States Attorney  
Southern District of New York

**MEMO ENDORSED**

86 Chambers Street  
New York, New York 10007

August 22, 2008

BY FAX

Hon. Frank Maas  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street, Room 740  
New York, New York 10007-1312

**APPLICATION GRANTED  
SO ORDERED**

Re: Benedetto Rocchio v. Astrue  
08 Civ. 3796 (JSR) (FM)

*Frank Maas*  
Frank Maas, USMJ 8/25/08

Dear Judge Maas:

This Office represents the Commissioner of Social Security, defendant in this action. I write respectfully to advise the Court of recent events and to request an extension of defendant's time to answer or move with respect to the complaint.

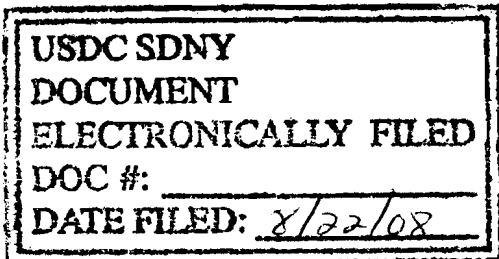
Defendant was served the complaint in this case on May 15, 2008 and the answer was due July 14, 2008. This Office submitted a stipulation to the Court on June 24, 2008, requesting a sixty-day extension of defendant's time to answer, to September 14, 2008, a copy of which is enclosed. Due to an administrative error, the stipulation was submitted to Judge Jed S. Rakoff. I apologize for this error and any inconvenience it caused the Court. In addition, I write respectfully to request the Court's approval of the enclosed stipulation extending defendant's time to answer to September **15** 2008.

Thank you for your consideration of this matter.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

By: *Susan C. Branagan*  
SUSAN C. BRANAGAN  
Assistant United States Attorney  
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cc: Benedetto Rocchio, Pro Se

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COPY

*Submitted*  
*6/24/08*  
*RG*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - -x  
BENEDETTO ROCCHIO, :

Plaintiff, :

- v. - :

MICHAEL J. ASTRUE, :  
Commissioner of :  
Social Security, :

Defendant. :

- - - - -x

STIPULATION AND ORDER

08 Civ. 3796 (JSR)

IT IS HEREBY STIPULATED AND AGREED, by and between the  
attorney for the defendant and the plaintiff, pro se, that the  
defendant's time to answer or move with respect to the complaint  
in the above-captioned action is extended from July 14, 2008 to  
and including September 15, 2008. This extension is requested to

allow the Social Security Administration sufficient time to evaluate its litigation position in this case. No previous extension has been granted in this case.

Dated: New York, New York  
June 17, 2008



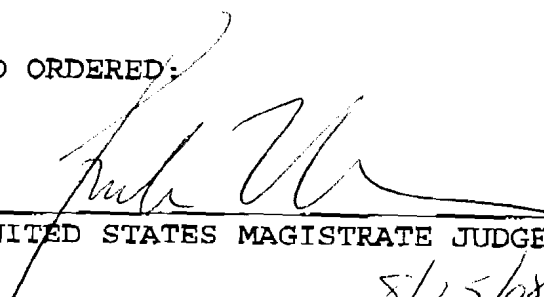
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SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

8/25/08